

IN RE: PETITION FOR VARIANCE
E/S Poplar Road, 2,000' S of
the c/l of Silver Lane
(2418 Poplar Road)
15th Election District
7th Councilmanic District

David W. Maxwell, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-313-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2418 Poplar Road, a water-front property located on Sue Creek in the community of Cedar Beach. The Petition was filed by the owners of the property, David W. and Kathleen E. Maxwell. The Petitioners seek relief from Sections 1A04.3.B.2, 400.3 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling with side yard setbacks of 10 feet in lieu of the required 50 feet for each, a detached accessory structure (garage) with a height of 24 feet in lieu of the maximum permitted 15 feet, and to approve an undersized lot and any other variances deemed necessary by the Zoning Commissioner, for the proposed redevelopment of the subject property with a single family dwelling and detached garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were David Maxwell, property owner, and James McKinney, of E-Z Permits. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .25 acres, more or less, zoned R.C. 5 and is presently improved with a 20' x 20' dwelling. As noted above, the property is located within

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

the Chesapeake Bay Critical Areas on Sue Creek in the community of Cedar Beach, an older subdivision which has existed for many years. As is the case with many of the lots in this community, the subject property is long and narrow and does not meet current zoning requirements. The Petitioners purchased the subject property approximately one year ago and propose to redevelop the site with a two-story single family dwelling and detached garage as shown on the site plan. The existing dwelling will be razed and a new 26' x 35.5' dwelling will be constructed over the existing footprint. The proposed dwelling will provide side setbacks of 10 feet on both sides, which is the standard in the D.R. zones; however, given the fact that this property is zoned R.C.5, the side setbacks required are 50 feet. Obviously, it would be impossible for any homeowner in this community to meet those setback requirements; however, the 10-foot side setbacks proposed in this instance are sufficient and consistent with existing development in this community. In support of their request, the Petitioners submitted elevation drawings of the proposed dwelling.

In addition to the proposed dwelling, the Petitioners propose to construct a 32' x 24' garage with a height of 24 feet to accommodate a storage and work shop area on the second floor and parking for three vehicles on the first floor. Testimony revealed that due to flood plain regulations, the Petitioners are prohibited from having a basement in their home, thus, additional storage space is needed. Due to the site constraints associated with this property and the desire to construct a home which will accommodate their family's needs, the requested relief is necessary.

The Petitioners further testified that they have no intention of converting the garage for use as a second dwelling unit and that they only

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Date

By

intend to use the garage as noted above. Therefore, appropriate restrictions will be imposed at the end of this Order to ensure that the garage will be used in accordance with the B.C.Z.R.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date

3/22/86


By

[Signature]

maximum permitted 15 feet, and to approve an undersized lot and any other variances deemed necessary by the Zoning Commissioner, for the proposed redevelopment of the subject property with a single family dwelling and detached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen facilities.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated March 6, 1996, attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

March 6, 1996

FROM: Patricia M. Farr *PMF*
DEPRM

SUBJECT: Zoning Item #312 - Maxwell Property
2418 Poplar Road
Zoning Advisory Committee Meeting of February 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additionally, the development is within a Buffer Management Area and will require compliance with the Baltimore County Buffer Management Policy. A variance to impact the 100 foot buffer will probably not be necessary in this case. The property owner should contact Baltimore County Department of Environmental Protection and Resource Management (DEPRM) at 887-3980 for more details.

PMF:SA:sp

c: Mr. David Maxwell

MAXWELL/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING

Date

By

APPROVED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 22, 1996

Mr. & Mrs. David W. Maxwell
2908 Chesley Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
E/S Poplar Road, 2,000' S of the c/l of Silver Lane
(2418 Poplar Road)
15th Election District - 7th Councilmanic District
David W. Maxwell, et ux- Petitioners
Case No. 96-313-A

Dear Mr. & Mrs. Maxwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

Mr. James McKinney, E-Z Permit Service
7633 South Bend Road, Baltimore, Md. 21222

DEPRM; People's Counsel; Case File



CRITICAL
AREA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-313-A

2418 Poplar RD. Essex MD 21221

which is presently zoned RC 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for Variance from Section(s) 1A04.3B2, 400.3 & 304 (ECZR)

To permit a dwelling with a 10-ft. side yard setback in lieu of the required 50 ft., to permit a detached accessory structure (garage) with a 24-ft height in lieu of the maximum permitted 15 ft & to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Need storage space as the house will not have a basement do to flood plain regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

David W. Maxwell

(Type or Print Name)

Signature

Kathleen E. Maxwell

(Type or Print Name)

Signature

2908 Chesley Ave. 410-444-6819

Address

Phone No

Baltimore, MD 21234

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

James Mc Kinney E-Z Permit Service

Name

7633 South Bend rd. 477-1677

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL OTHER

REVIEWED BY:

R.T.

DATE

2-15-96

ITEM 312

ORDER RECEIVED FOR FILING

Date

By



Printed with Soybean Ink
on Recycled Paper

Zoning Administration

ADMINISTRATIVE

ZONING DESCRIPTION FOR
2418 POPLAR RD.
BALTIMORE, MD.

96-313-A

Beginning at a point on the East side of Poplar Road, which is 30 feet wide, at a distance of 2000 feet South of the centerline of Silver Lane which is 30 feet wide. Being Lot Number 127, Section One, in the Subdivision of Cedar Beach as recorded in Baltimore County Plat Book No. 7, Folio No. 186 containing 0.25 Acres. Also known as 2418 Poplar Rd. and located in the 15th Election District, 7th Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District _____ Date of Posting 7/29/98
Posted for: _____
Petitioner: _____
Location of property: 2418 Poplar Rd

Location of Sign: Front Yard

Remarks: _____
Posted by W. Plun Date of return: _____
Signature
Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-313-A

(Item 312)
2418 Poplar Road
E/S Poplar Road, 2000 +/- S of
of Silver Lane
13th Election District
7th Councilmanic

Legal Owner(s):

David W. Maxwell and Kath-
leen E. Maxwell

Variance: to permit a dwelling
with a 10 foot side yard setback
in lieu of the required 50 foot, to
permit a detached accessory
structure (garage) with a 24 foot
height in lieu of the maximum

permitted 15 feet and to ap-
prove an easement for with any
other variances deemed neces-
sary by the zoning commis-
sioner.

Hearing: Thursday, March 21,
1996 at 2:00 p.m. in Rm. 118,
Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible for
special accommodations Please
Call 887-3353.

(2) For information concern-
ing the file and/or Hearing,
Please Call 887-3381.

2/29/96 Feb. 29 C34637

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/29, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/29, 1996.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

ITEM # 312

DATE 2-15-96

ACCOUNT R001-6150

110 - PAK - \$ 50.00
08X - SIGN - \$ 35.00

96-313-A
AMOUNT \$ 85.00

RECEIVED
FROM:

LEE MAXWELL

FOR:

Residential Uninsured & UNDER SIZED
LOT

R.T.

0269180160MTCIRC

\$85.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

00000000 06/03/96

post by: 3/6/96

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000'+/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Katheen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 312

Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAVID MAXWELL

ADDRESS: 2908 CHESLEY AVE

BALTIMORE, MD 21234

PHONE NUMBER: 410-444-6819

AJ:ggs

(Revised 04/09/93)

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by B.T. on 2-15-96
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 2-29-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 3-15-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 3-18-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

2/16/96

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number
ITEM # 312

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ E-Z Permit Service 7633 South Bend rd. Balto. MD 21222 477-1677
Print Name of Applicant Address Telephone Number

☐ Lot Address 2418 Poplar rd. Election District 15 Council District 7 Square Feet 11100
Lot Location: N E S W / side / corner of E side Poplar rd. feet from N E S W corner of 2000 ft. of Silver Lane
(street) (street)

Land Owner David & Kathleen Maxwell Tax Account Number 150830080

Address 2908 Chelsey Ave. Balto. MD 21223 Telephone Number 444-6819

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

| | YES | NO |
|---------------------------------------------------------------------------------|-----|----|
| 1. This Recommendation Form (3 copies) | / | — |
| 2. Permit Application | — | — |
| 3. Site Plan | | |
| Property (3 copies) | / | — |
| Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly) | / | — |
| 4. Building Elevation Drawings | / | — |
| 5. Photographs (please label all photos clearly) | | |
| Adjoining Buildings | / | — |
| Surrounding Neighborhood | — | — |

| |
|-----------------------------------------------------------|
| Residential Processing Fee Paid Codes 030 & 080 (\$85) |
| Accepted by <u>R.T.</u> ZOM |
| Date <u>2-15-96</u> |

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Community Conservation

Date:

TO: PUTUXENT PUBLISHING COMPANY
Feb. 29, 1996 Issue - Jeffersonian

Please forward billing to:

David Maxwell
2908 Chesley Avenue
Baltimore, MD 21234
444-6819

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000' +/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Katheen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 26, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000'+/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Katheen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: David and Kathleen Maxwell
James McKinney

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Microfilmed





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 14, 1996

Mr. and Mrs. David W. Maxwell
2908 Chesley Avenue
Baltimore, MD 21234

RE: Item No.: 312
Case No.: 96-313-A
Petitioner: D. W. Maxwell, et ux

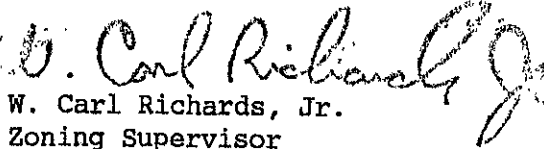
Dear Mr. and Mrs. Maxwell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director March 6, 1996
Zoning Administration and
Development Management

FROM: Patricia M. Farr *PMF*
DEPRM

SUBJECT: Zoning Item #312 - Maxwell Property
2418 Poplar Road
Zoning Advisory Committee Meeting of February 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additionally, the development is within a Buffer Management Area and will require compliance with the Baltimore County Buffer Management Policy. A variance to impact the 100 foot buffer will probably not be necessary in this case. The property owner should contact Baltimore County Department of Environmental Protection and Resource Management (DEPRM) at 887-3980 for more details.

PMF:SA:sp

c: Mr. David Maxwell

MAXWELL/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: March 7, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 2418 Poplar Road

INFORMATION:

Item Number:

312

Petitioner: Maxwell Property

Property Size: _____

Zoning: RC-5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's requested Variance to permit a dwelling with side yard setbacks of 10' in lieu of the required 50'. The Variance for the garage height, however, will need to be justified in order to satisfy the burden placed upon the Petitioner to prove hardship or practical difficulty.

Restrictions preventing the conversion of the garage to a second dwelling unit or improving the structure with kitchen, bathroom or bedroom facilities should be placed in the Order should the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Dary L. Kerns

PK/JL

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number
ITEM # 312

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ **E-Z Permit Service** 7633 South Bend rd. Balto. MD 21222 477-1677
Print Name of Applicant Address Telephone Number

☐ **Lot Address** 2418 Poplar rd. **Election District** 15 **Council District** 7 **Square Feet** 11100

Lot Location: N E S W / side / corner of E side Poplar rd. feet from N E S W corner of 2000 ft. s of Silver Lane
(street) (street)

Land Owner David & Kathleen Maxwell **Tax Account Number** 150830080

Address 2908 Chelsey Ave. Balto. MD 21233 **Telephone Number** 444-6819

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

| | YES | NO |
|---------------------------------------------------------------------------------|------------|-----------|
| 1. This Recommendation Form (3 copies) | ✓ | — |
| 2. Permit Application | — | — |
| 3. Site Plan | ✓ | — |
| Property (3 copies) | ✓ | — |
| Topo Map (available in Rm 204 C.O.B.) (2 copies) (please label site clearly) | ✓ | — |
| 4. Building Elevation Drawings | ✓ | — |
| 5. Photographs (please label all photos clearly) | ✓ | — |
| Adjoining Buildings | ✓ | — |
| Surrounding Neighborhood | — | — |

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by R.T.
ZADM

Date 2-15-96

Can Serve

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ **Approval conditioned on required modifications of the permit to conform with the following recommendations:**

Signed by: Jeffrey W. Long
of the Director, Office of Planning & Community Conservation

Date:

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 1, 1996

FROM: *Rwb* Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for March 4, 1996
 Item No. 312

The Development Plans Review Division has reviewed the subject zoning item. Poplar Road is an existing road which shall ultimately be improved as a 30-foot street cross section on a 40-foot right-of-way.

RWB:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 02/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB. 26, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

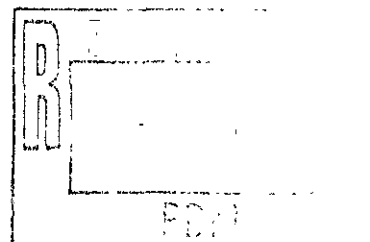
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 305, 306, 307, 308, 311, 312, 313, 314 & 315. }

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

MICROFILMED





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

2-27-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 312(RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

RE: PETITION FOR VARIANCE
2418 Poplar Road, E/S Poplar Road,
2000'+/- S of c/l Silver Lane
15th Election District, 7th Councilmanic

David W. and Katheen E. Maxwell
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-313-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to James McKinney, E-Z Permit Service, 7633 South Bend Road, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Renderings are artist conceptions and feature various options.

The CARLTON

1,807 Sq. Ft.

Item # 312

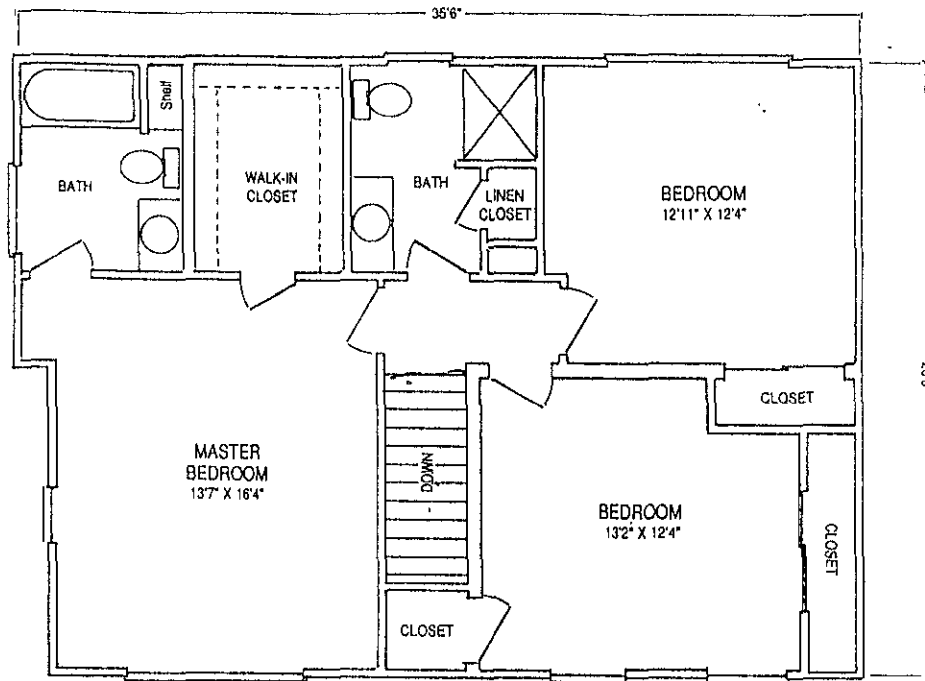
P.O. Box F Greenwood, DE 19950
302/349-4561 800/777-4561



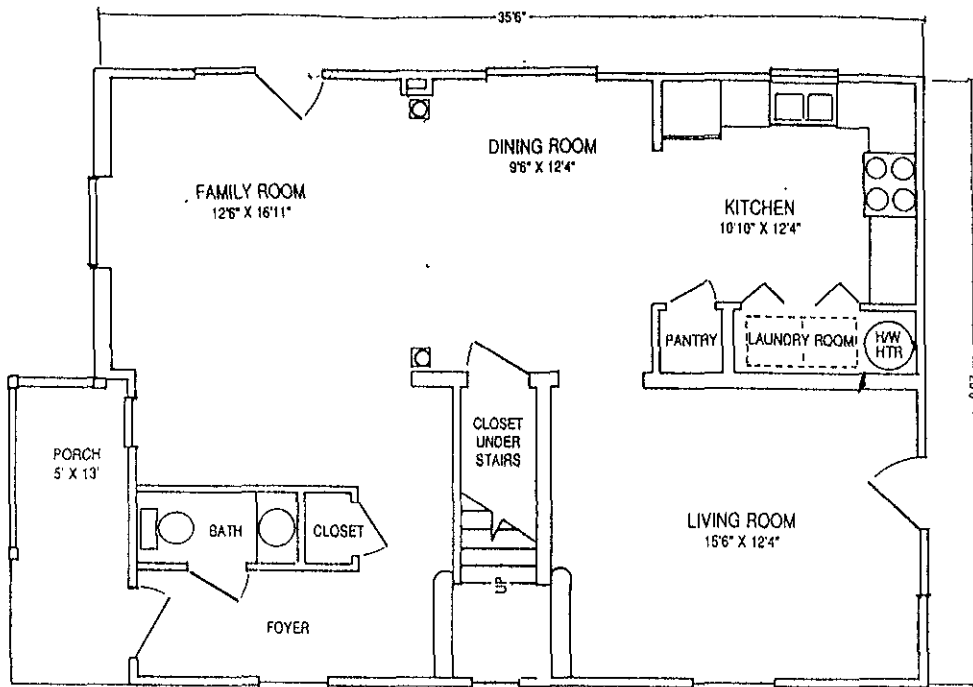
MICROFILMED



Printed on Recycled Paper



SECOND FLOOR PLAN



FIRST FLOOR PLAN

2 Sets, Construction
79 3/4

- NEED ELEV. - Drawing

130.00
ITEM # 312 768
1800

The CARLTON

A hand-drawn map showing the proposed site location. The map includes the following roads and features:

- POPLAR RD**: A road running horizontally across the top left.
- SILVER RD**: A road running horizontally below Poplar Rd.
- ROLLER RD**: A road running diagonally from the bottom left towards the center.
- RIVER RD**: A road running vertically on the far left.
- VANDER MAST RD**: A road running diagonally from the bottom right towards the center.
- GOLF**: A road running vertically on the far right.
- SITE**: A large, irregularly shaped area in the center-right of the map, labeled "SITE".
- LA**: The letters "LA" are written near the intersection of Poplar Rd and Silver Rd, and near the intersection of Vander Mast Rd and Golf.

[illegible]

1200' TO

S 31° 46' W

SILVER LANE

LOT 128
Ald 2420

Prop. Garage
768 SF. W/Lot
Height 24'

Add 120
2416

0.0

VACANT
Y DWELLING

VACANT
1-STY DWELLING
Gerald & Catherine Eureka
6808 Corner 11 Rd Balto 2
Tax. No. 1513552910

6808 Cornell Rd
Tax. No. 1513552910

Box No. 1513552910
Cornell Rd
Ithaca, NY 14850-1355

Demolish existing 20'x20'
Dwelling. Build new 26'x35'-6"
2 sty. Frame Dwelling
1st flr. elev. min 10.4'

2 sty. Frame Dwelling
1st flr. elev. min 10.4'

1st flr. elev. min 10.4

96-313-A

**PLAT TO ACCOMPANY PERMIT & VARIANCE
WITH UNDERSIZE LOT APPROVAL
PROPOSED DWELLING AND GARAGE
2418 POPLAR RD, BALTO. MD. 21219
ELECT. DIST. 15, COUNCIL. DIST. 7
TX. NO. 150830080 DEED REF. 10871/691
LOT 127, CEDAR BEACH**

**WITH UNDERSIZE LOT APPROVAL
PROPOSED DWELLING AND GARAGE**

PROPOSED DWELLING AND GARAGE

2418 POPLAR RD, BALTO. MD. 21219

ELECT. DIST. 15, COUNCIL. DIST. 7

TX. NO. 150830080 DEED REF. 10871/691

LOT 127, CEDAR BEACH

OWNERS: DAVID & KATHLEEN MAXWELL

2908 CHESLEY AVE.,BALTO. MD. 21234

LAND AREA: 11100 sf, .25 ac

RC 5 ZONING ~~REPEATED~~, MAP: SE 2-J

PUBLIC WATER & SEWER EXISTS ON SITE

SITE IS IN THE CHESAPEAKE BAY CRITICAL AREA

THIS SITE IS PARTIALLY LOCATED IN THE 100 YEAR FLOOD PLAIN (TIDAL) ANY NEW CONSTRUCTION WILL MEET

PLAIN (TIDAL) ANY NEW CONSTRUCTION WILL MEET

FLOOD PLAIN REGULATIONS

PRIOR ZONING HEARINGS: NONE

NO SHARED OWNERSHIP WITH ADJACENT

LOTS WITHIN THE PAST 6 YEARS:

(EXISTING DWELLING TO BE RAZED)

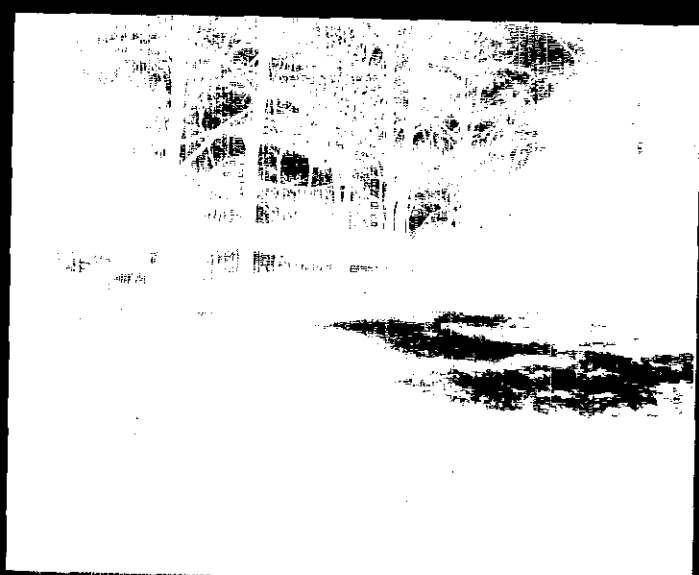
SITE PLAN

11-30

ITEM # 312

REF ID: A66666

by the ... 477-9133



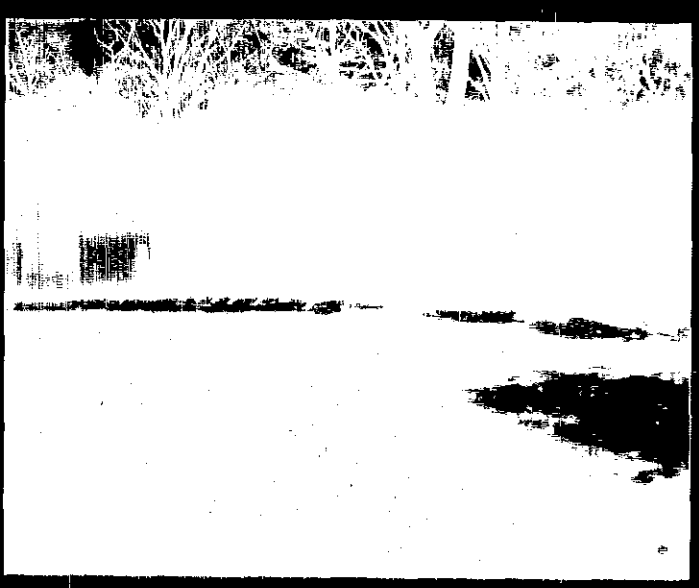
FRONT

ITEM# 312



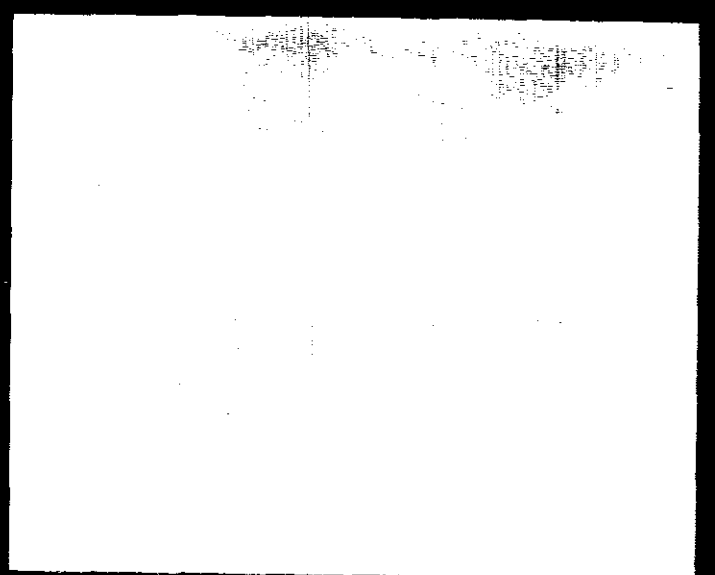
REAR

ITEM 312



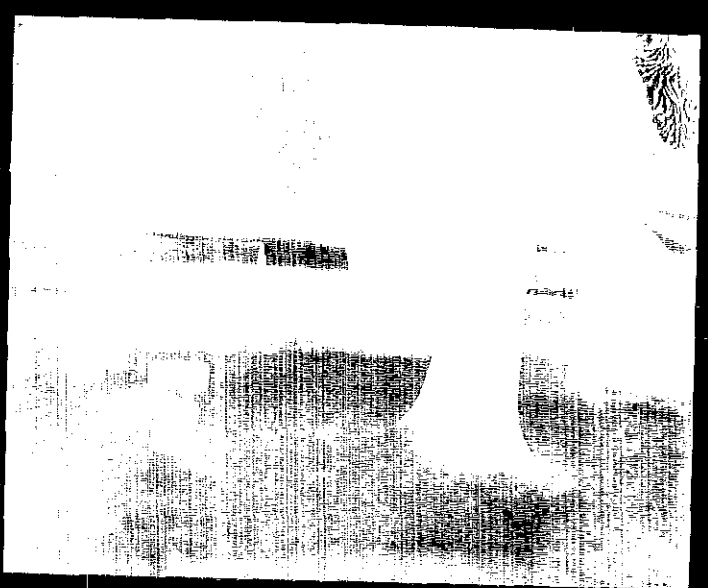
SIDE

ITEM 312



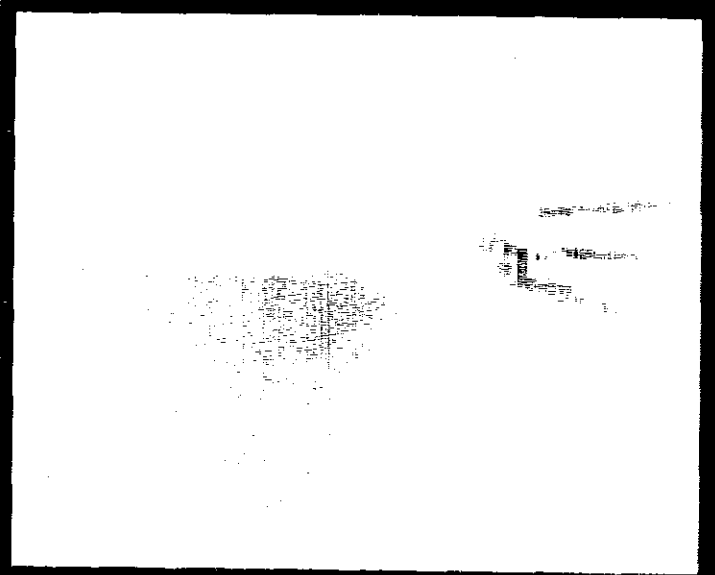
①

ITEM# 312



②

ITEM# 312



ITEM# 312

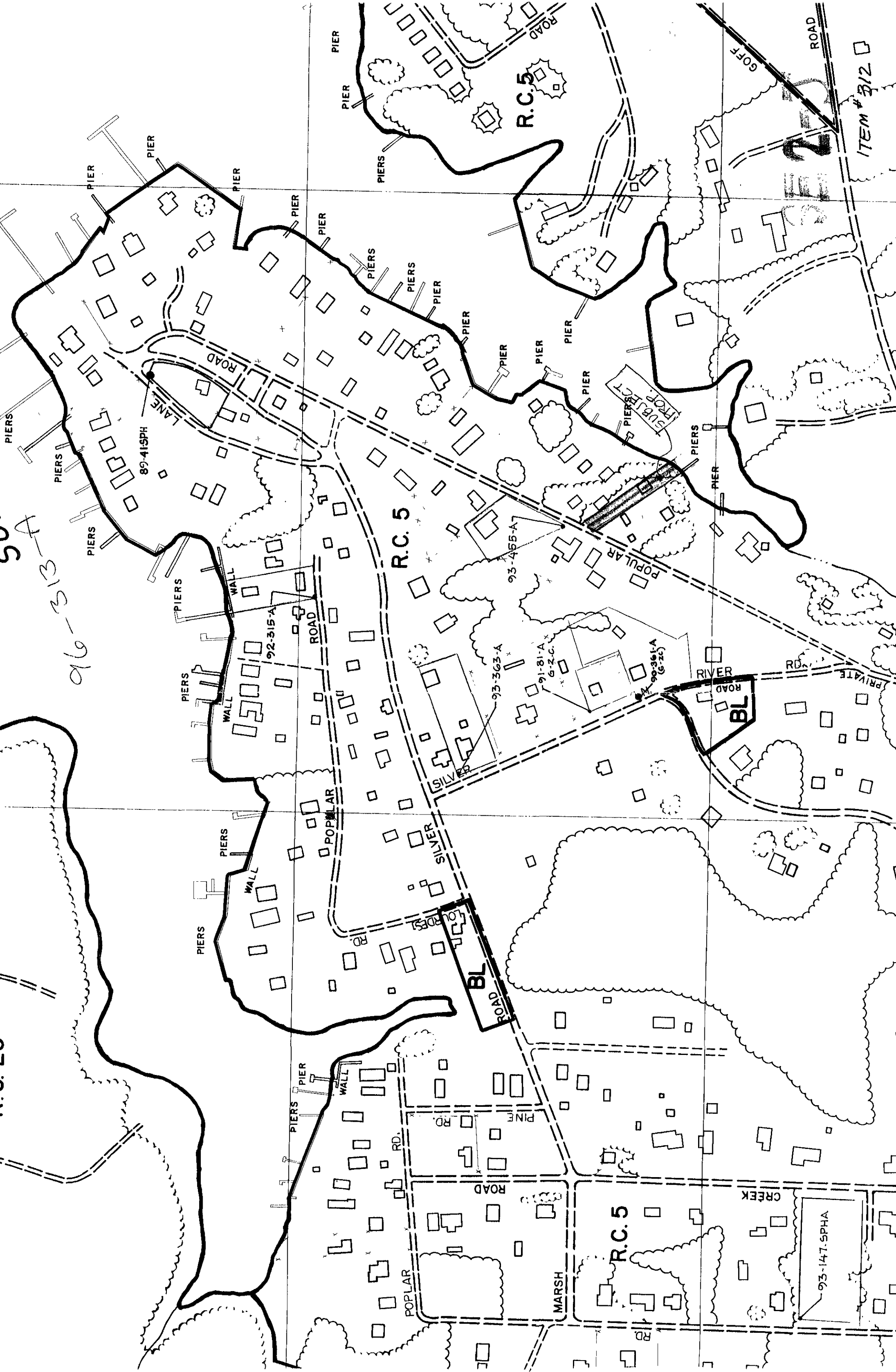
96-313-A



FRONT

ITEM 312

15-2-55



In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of March, 1996 that the Petition for Variance seeking relief from Sections 1A04.3.B.2, 400.3 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling with a side yard setback of 10 feet in lieu of the required 50 feet, a detached accessory structure (garage) with a height of 24 feet in lieu of the

ORDER RECEIVED FOR FILING

Date

By

ITEM# 312

96-313-A

ZONING DESCRIPTION FOR
2418 POPLAR RD.
BALTIMORE, MD.

Beginning at a point on the East side of Poplar Road, which is 30 feet wide, at a distance of 2000 feet South of the centerline of Silver Lane which is 30 feet wide. Being Lot Number 127, Section One, in the Subdivision of Cedar Beach as recorded in Baltimore County Plat Book No. 7, Folio No. 186 containing 0.25 Acres. Also known as 2418 Poplar Rd. and located in the 15th Election District, 7th Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: 7/29/96
Posted for: _____
Petitioner: _____
Location of property: 2418 Poplar Rd
Location of Signs: Front yard
Remarks: _____
Posted by: [Signature] Date of return: _____
Number of Signs: _____

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/29, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/29, 1996.

THE JEFFERSONIAN,
A. Henrichsen
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, on Thursday, March 21, 1996, at 2:00 p.m. in Room 118, Old Courthouse.
Case: 96-313-A
Item: 312
2418 Poplar Road
E/S Poplar Road, 2000' +/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Kathleen E. Maxwell
Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.
Hearing: Thursday, March 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearing is Handicapped Accessible for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
2/29/96 29 CH467

post by: 3/6/96

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000' +/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Kathleen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 246846
ITEM# 312
DATE: 2-15-96 ACCOUNT: 96-313-A
BY: [Signature] AMOUNT: \$ 85.00
RECEIVED FROM: [Signature]
FOR: Financial Services Department
VALIDATION OR SIGNATURE OF CASHIER
PNC-AGENCY YELLOW-CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 312

Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: D.W.D. MAXWELL

ADDRESS: 2708 CHESLEY AVE

BALTIMORE, MD 21234

PHONE NUMBER: 410-444-6819

Adj-gss

(Revised 04/09/93)

13

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by [Signature] on 2-15-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 2-29-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 3-15-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 3-18-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____
Location of property: _____
Posted by: _____ Signature _____ Date of Posting: _____
Number of Signs: _____

TO: POTENTIAL PUBLISHING COMPANY
Feb. 29, 1996 Issue - Jeffersonian

Please forward billing to:

David Maxwell
2908 Chesley Avenue
Baltimore, MD 21234
444-6813

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000' +/- S of c/l Silver Lane
15th Election District - 7th Councilmanic
Legal Owner: David W. Maxwell and Kathleen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THIS FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 26, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-313-A (Item 312)
2418 Poplar Road
E/S Poplar Road, 2000' +/- S of c/l Silver Lane
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Legal Owner: David W. Maxwell and Kathleen E. Maxwell

Variance to permit a dwelling with a 10 foot side yard setback in lieu of the required 50 feet, to permit a detached accessory structure (garage) with a 24-foot height in lieu of the maximum permitted 15 feet; and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: THURSDAY, MARCH 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

[Signature]
Arnold Jablon
Director

cc: David and Kathleen Maxwell
James McKinley

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 14, 1996

Mr. and Mrs. David W. Maxwell
2908 Chesley Avenue
Baltimore, MD 21234

RE: Item No.: 312
Case No.: 96-313-A
Petitioner: D. W. Maxwell, et ux

Dear Mr. and Mrs. Maxwell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
March 6, 1996

FROM: Patricia M. Farr
DEPRM

SUBJECT: Zoning Item #312 - Maxwell Property
2418 Poplar Road
Zoning Advisory Committee Meeting of February 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additionally, the development is within a Buffer Management Area and will require compliance with the Baltimore County Buffer Management Policy. A variance to impact the 100 foot buffer will probably not be necessary in this case. The property owner should contact Baltimore County Department of Environmental Protection and Resource Management (DEPRM) at 887-3980 for more details.

PMF:SA:sp

c: Mr. David Maxwell

MAXWELL/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
DATE: March 7, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 2418 Poplar Road

INFORMATION:

Item Number: 312
Petitioner: Maxwell Property
Property Size: _____
Zoning: RC-5
Requested Action: Variance
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's requested Variance to permit a dwelling with side yard setbacks of 10' in lieu of the required 50'. The Variance for the garage height, however, will need to be justified in order to satisfy the burden placed upon the Petitioner to prove hardship or practical difficulty.

Restrictions preventing the conversion of the garage to a second dwelling unit or improving the structure with kitchen, bathroom or bedroom facilities should be placed in the Order should the applicant's request be granted.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Lewis*
PK/JL

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Sokey Ave
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

□ E-Z Permit Service 7633 South Bend Rd, Balto, MD 21222 477-1677

□ Lot Address: 2418 Poplar rd. Election District 15 Council District 7 Square Feet 11100

Lot Location: N E S W side / corner of E side Poplar rd. East from N E S W corner of 2000' +/- S of c/l Silver Lane

Lead Owner: David & Kathleen Maxwell Tax Account Number 150830080

Address: 2908 Chelsea Ave. Balto. MD 21223 Telephone Number 444-6819

□ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

| | YES | NO |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. This Recommendation Form (3 copies) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Permit Application | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Site Plan Property (3 copies) Topo Map (available in the 100 C.B.S.) (2 copies) (Please note: not all owners) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Building Elevation Drawings | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Photographs (owners select all photos desired) Adjoining Buildings Surrounding Neighborhood | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: *Jeffrey W. Long*
Director, Office of Planning & Community Conservation
Revised 6/5/95

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: March 1, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for March 4, 1996
Item No. 312

The Development Plans Review Division has reviewed the subject zoning item. Poplar Road is an existing road which shall ultimately be improved as a 30-foot street cross section on a 40-foot right-of-way.

RWB:jrb

cc: File

2312

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB. 26, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 305, 306, 307, 308, 311, 312, 313, 314 & 315.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1106F

cc: File
Printed with Recycled
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 312 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Robert Burns
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2229
Mailing Address: P.O. Box 212, Baltimore, MD 21201

RE: PETITION FOR VARIANCE
2418 Poplar Road, E/S Poplar Road,
2000' +/- S of c/l Silver Lane
15th Election District, 7th Councilmanic
David W. and Kathleen E. Maxwell
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-313-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to James McKinney, E-Z Permit Service, 7633 South Bend Road, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

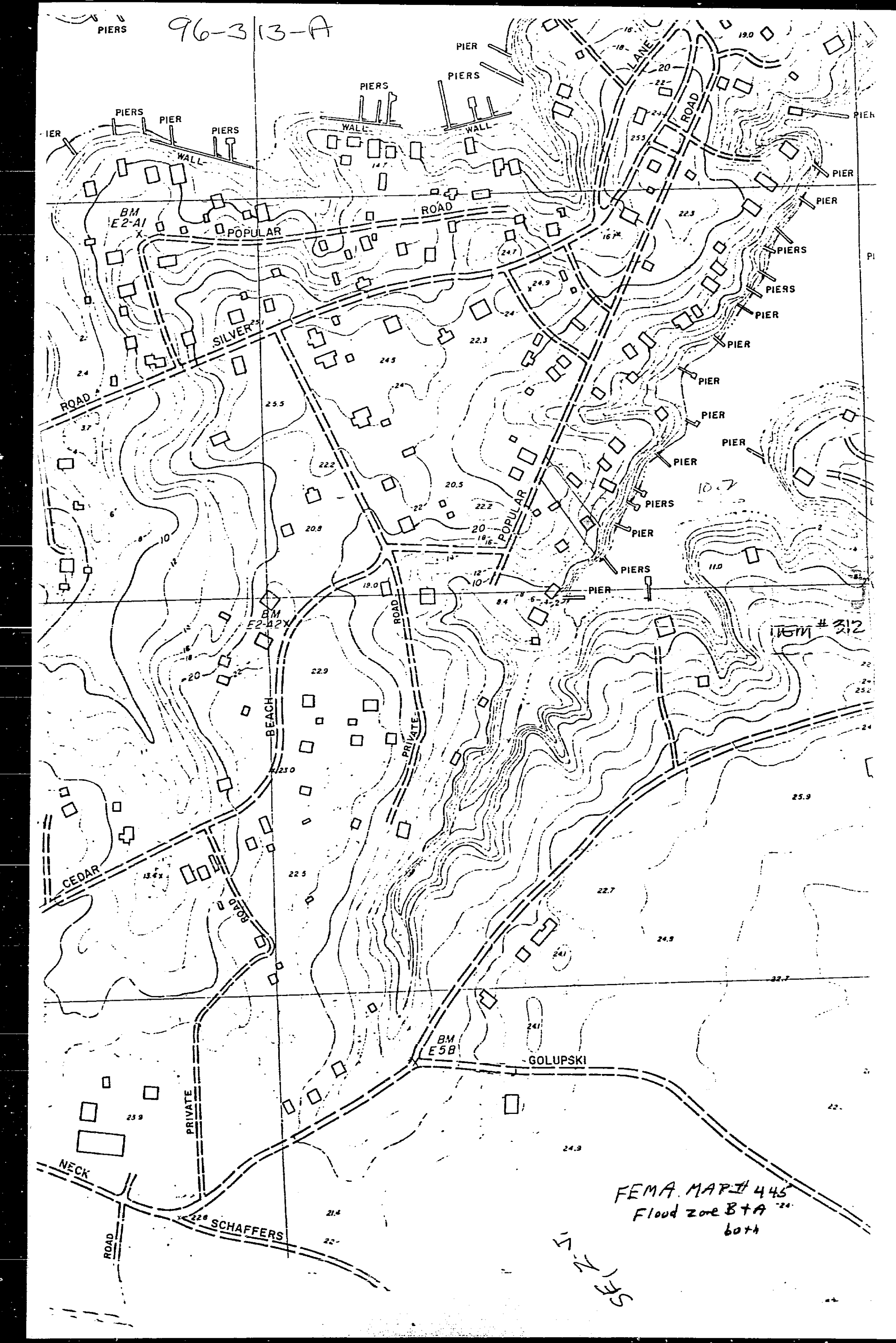
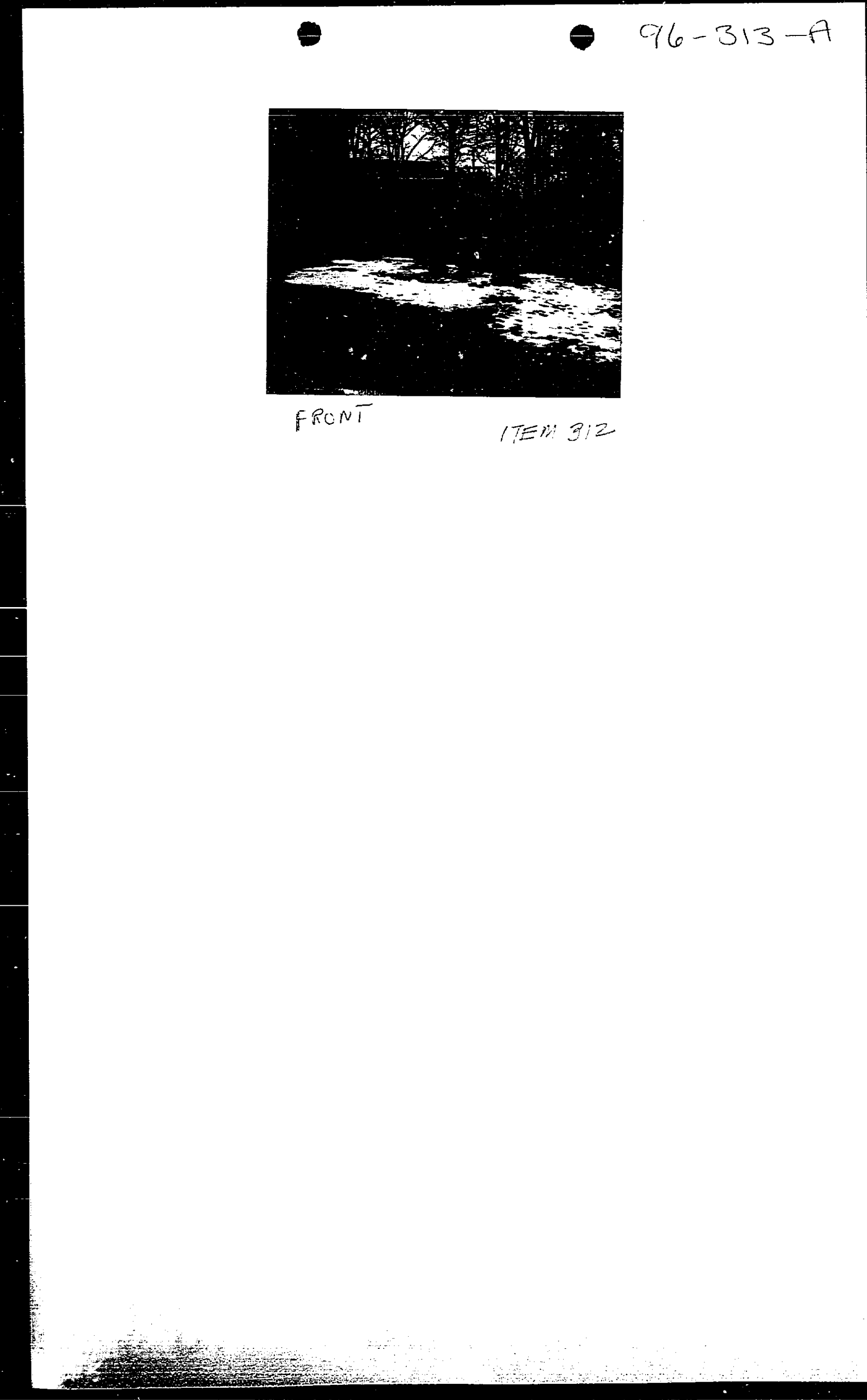
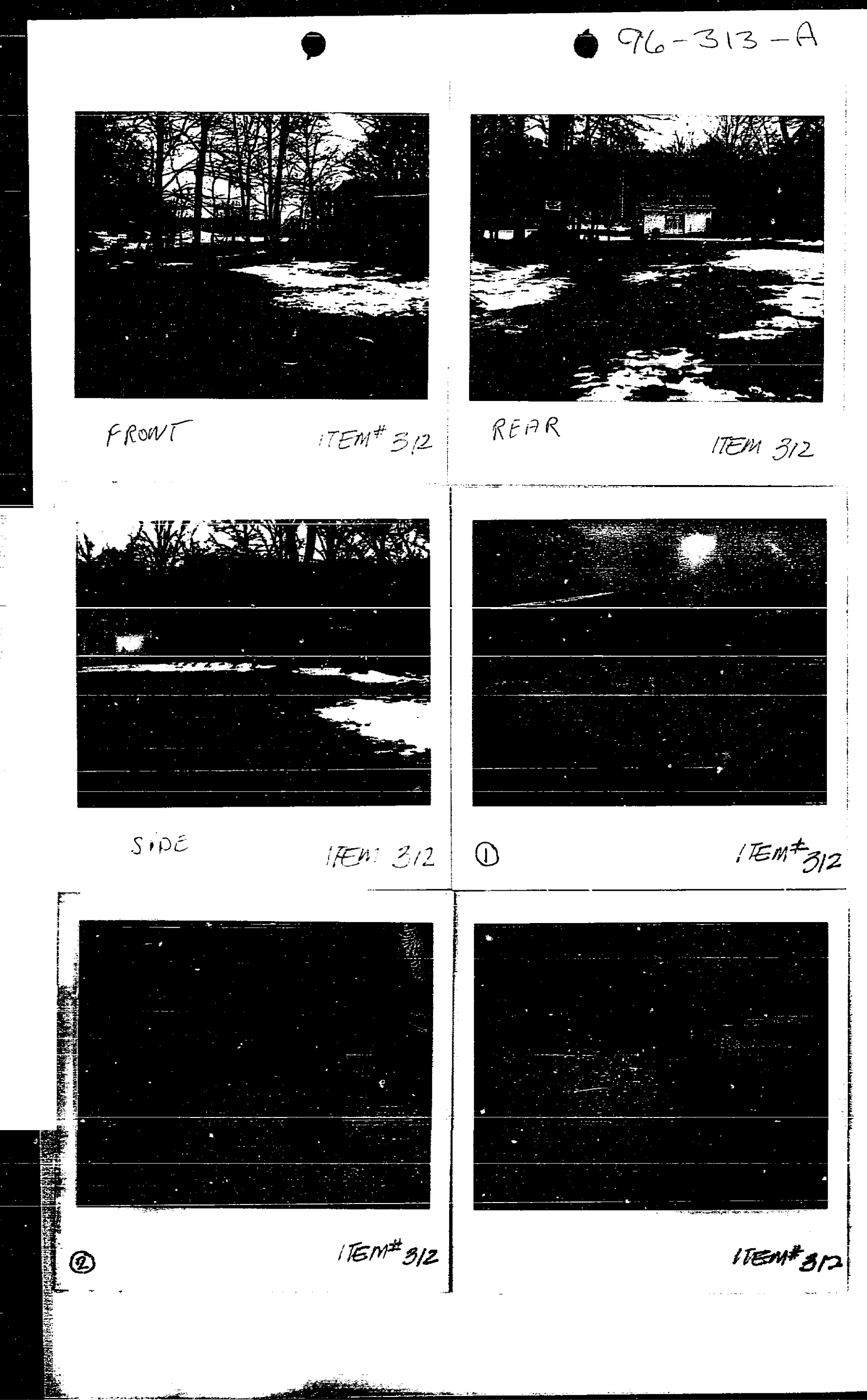
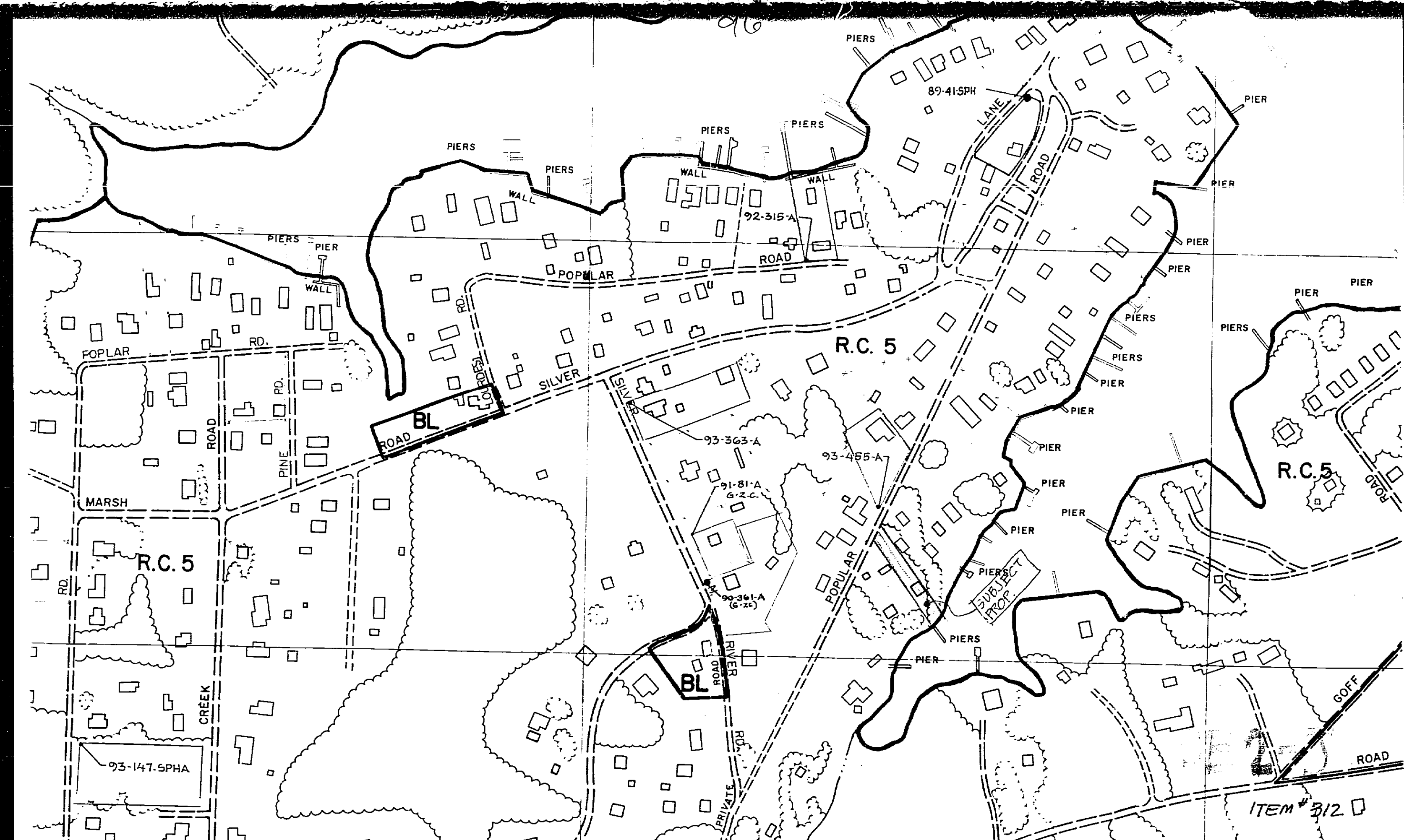
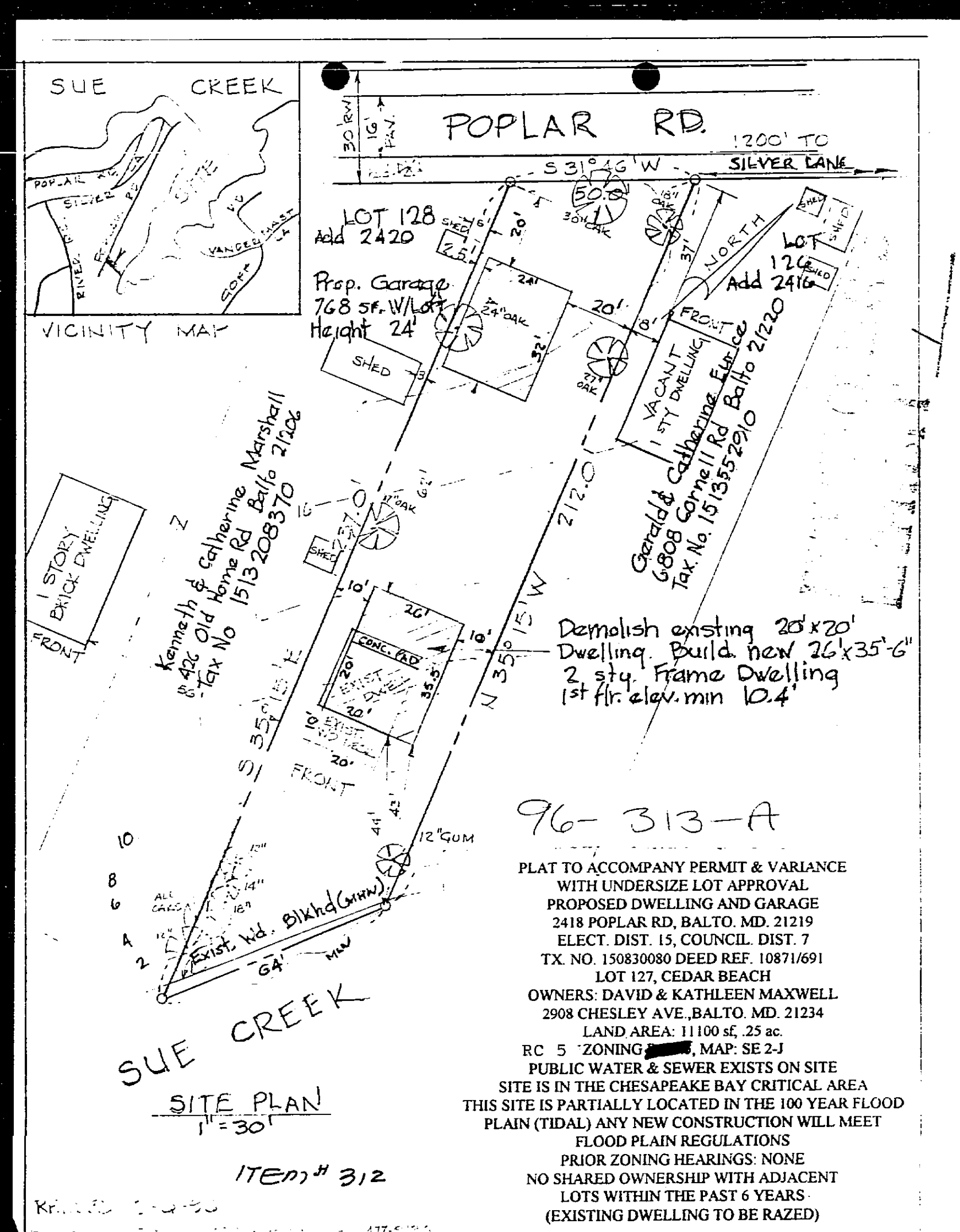
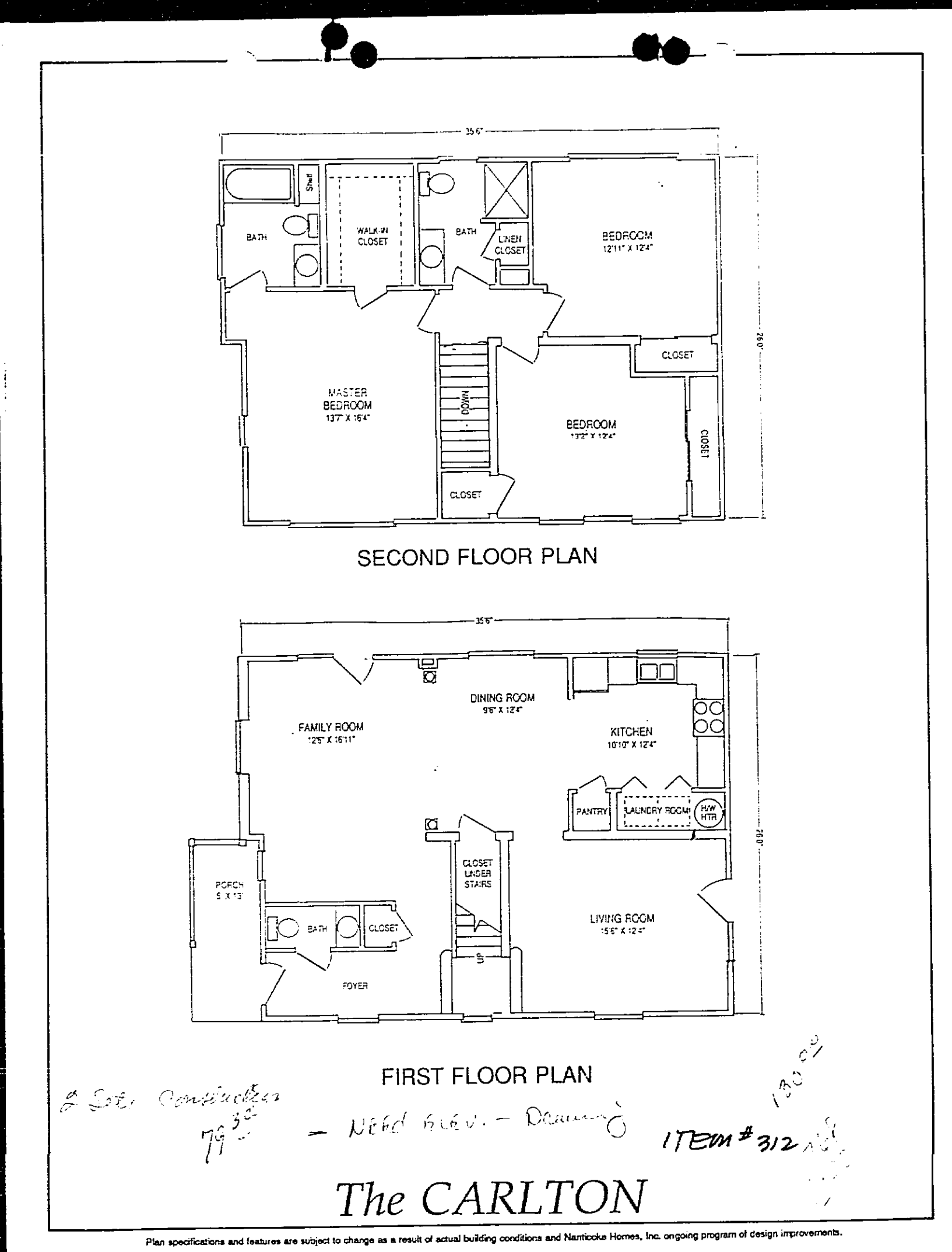


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PHOTOGRAPHIC MAP

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| SCALE | LOCATION | SHEET |
|----------------------------------------------|------------|--------------------------|
| 1" = 200' ± | HOLLY NECK | 8.E 2-J ITEM # 312 |
| DATE OF PHOTOGRAPHY JANUARY 1986 | | |

96-313-A